

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 10-MJ-389(SER)

IN THE MATTER OF SEARCH	)	<b>GOVERNMENT'S MOTION FOR</b>
WARRANTS ISSUED ON	)	<b>LIMITED UNSEALING OF</b>
SEPTEMBER 23, 2010	)	<b>SEARCH WARRANTS</b>
	)	

The United States of America, by and through its attorneys, John R. Marti, Acting United States Attorney for the District of Minnesota, and Andrew R. Winter and Charles J. Kovats, Jr., Assistant United States Attorneys, hereby submits the Government's Motion for Limited Unsealing of the Search Warrants Issued on September 23, 2010.

After consultation with the agencies involved in this investigation, there is no longer a compelling government interest to be served by the continued sealing of the search warrants in the above-captioned matter. Accordingly, the United States moves to unseal the search warrant application and associated documents, but permit the government to redact, in limited fashion and as described below, these documents before they are unsealed.

**The Search Warrants at Issue**

Each of the Search Warrants Issued on September 23, 2010 is supported by a common affidavit but a unique Attachment A and Attachment B. A copy of these Search Warrants can be found at Sealed Exhibit 1.<sup>1</sup>

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<sup>1</sup> To reduce the size of Sealed Exhibit 1, the government has provided only one copy of the common affidavit filed in support of all the search warrants at issue.

The Court's review of the materials at Sealed Exhibit 1 will reveal that the Search Warrants at issue all contain the home addresses of numerous individuals and other personal identifying information including phone numbers and email addresses. In the government's view, this personal identifying information should be redacted pursuant to Federal Rule of Criminal Procedure 49.1 and the United States District Court's Electronic Case Filing Procedures Guide for Criminal Cases, Revised January, 2014 ("ECF Filing Procedures") (*see* <http://www.mnd.uscourts.gov/cmecf/guides/Criminal-ECF-Procedures-Guide.pdf>.)

### **The Government's Proposed Substitution**

At Sealed Exhibit 2, the government has submitted a redacted version of the documents contained in Sealed Exhibit 1. The proposed redactions conceal from public view home addresses, phone numbers, email addresses used by various individuals, and the names of individuals who have not moved this Court to unseal. These proposed redactions are, in the government's view, supported by Fed. R. Crim. P. 49.1 and the Court's ECF Filing Procedures. Indeed, according to Rule 49.1(a)(5), only the city and state of a home address may be filed publicly. The ECF Filing Procedures also advise parties to "exercise caution" when filing documents that contain "Personal Identifying Number[s]". Accordingly, the government's proposed redactions also include both telephone numbers and email addresses as both are often used to commit identity theft offenses.

### **Conclusion**

The government respectfully requests the Court:

- (1) Grant the Government's Motion for Limited Unsealing; and
- (2) Permit the government to substitute the redacted version of the Search Warrants at issue contained at Sealed Exhibit 2 for public filing.

Dated: February 13, 2014

Respectfully submitted,

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*s/ Andrew R. Winter*

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